

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Lan. T. Lam,

NO. C 04-04578 JW

Plaintiff(s),

v.

ORDER TO SHOW CAUSE

Joanne Barnhart,

Defendant(s).

_____ /
This suit for social security benefits was initiated on October 28, 2004. By stipulation and order filed June 13, 2005, Plaintiff was required to file and serve a summary judgment motion no later than August 5, 2005. To date, there is no record of Plaintiff filing a summary judgment motion. Therefore, the Court orders Plaintiff to show cause in writing why the case should not be dismissed for failure to prosecute pursuant to Rule 41, Fed.R.Civ.P. Plaintiff's written response must be filed and served no later than September 13, 2005. If Plaintiff files and serves a summary judgment motion prior to September 13, 2005, this Order to Show Cause will be vacated automatically.

Dated: August 22, 2005

/s/James Ware
JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Marc V. Kalagian marckalagian_rohlfinglaw@hotmail.com

3 Sara Winslow sara.winslow2@usdoj.gov

4 Sharon Sands sharon.sands@ssa.gov

5 **Dated: August 22, 2005**

Richard W. Wieking, Clerk

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7 By: /s/JW Chambers
8 **Ronald L. Davis**
9 **Courtroom Deputy**
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